

12-09-04

DT07 Rec'd PCT/PTO 38/DEC 2004

FORM PCT-1390 (Modified)
(REV. 12-2003)

U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER
DC5018 PCT 1

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
10/517730

INTERNATIONAL APPLICATION NO.
PCT/US2003/019372

INTERNATIONAL FILING DATE
19 June 2003 (19.06.2003)

PRIORITY DATE CLAIMED
19 June 2002 (19.06.2002)

TITLE OF INVENTION
FIRE AND STAIN RESISTANT COMPOSITIONS

APPLICANT(S) FOR DO/EO/US
BLACKWOOD, William Raye; FEY, Kenneth Christopher; SCHMIDT, Randall Gene; STARK-KASLEY, Lori Ann

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1

☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.

2

☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.

3

☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.

4

☒ The US has been elected (Article 31).

5

☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))

a

☐ is attached hereto (required only if not communicated by the International Bureau).

b

☐ has been communicated by the International Bureau.

c

☒ is not required, as the application was filed in the United States Receiving Office (RO/US).

6

☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

a

☐ is attached hereto.

b

☐ has been previously submitted under 35 U.S.C. 154(d)(4).

7

☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))

a

☐ are attached hereto (required only if not communicated by the International Bureau).

b

☐ have been communicated by the International Bureau.

c

☐ have not been made; however, the time limit for making such amendments has NOT expired.

d

☒ have not been made and will not be made.

8

☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9

☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).

10

☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

11

☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).

12

☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13

☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.

14

☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

15

☒ A **FIRST** preliminary amendment.

16

☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.

17

☐ A substitute specification.

18

☐ A power of attorney and/or change of address letter.

19

☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.

20

☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).

21

☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).

22

☒ Express Mail Label No. EV496034450US

23

☒ Other items or information:

Cover Letter

Return Post Card

DEC 8 2004

PATENT & TRADEMARK OFFICE

Page 1 of 2

PCTUS1/REV04

U.S. APPLICATION NO (if known, see 37 CFR 1.5) 10/517730	INTERNATIONAL APPLICATION NO. PCT/US2003/019372	ATTORNEY'S DOCKET NUMBER DC5018 PCT 1
--	---	---

24. The following fees are submitted:..

BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)) :

- | | |
|--|------------------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | \$1110.00 |
| <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | \$950.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | \$790.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | \$750.00 |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | \$100.00 |

ENTER APPROPRIATE BASIC FEE AMOUNT =

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total claims	18 - 20 =	0	x \$18.00	\$0.00
Independent claims	2 - 3 =	0	x \$88.00	\$0.00
Multiple Dependent Claims (check if applicable).			<input type="checkbox"/>	\$0.00

TOTAL OF ABOVE CALCULATIONS =

- ☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). ☐

TOTAL FEES ENCLOSED =

Amount to be:	\$
refunded	
charged	\$

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 04-1520 in the amount of \$950.00 to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1520
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Patricia M. Scaduto
Reg. No. 39,827
Phone Number: (989) 496-6925
DOW CORNING CORPORATION
IP DEPT. CO1232
2200 West Salzburg Road
P.O. Box 994
Midland, MI 48686-0994

Customer No. 00137

Patricia M Leach
SIGNATURE

Patricia M. Scaduto

NAME _____

39,827

REGISTRATION NUMBER

Dec 7, 2004
DATE

10/517730

DT05 08 DEC 2004

Certificate of Express Mailing (37 CFR 1.10)

EV496034450US

"Express Mail" Mailing Number

December 8, 2004

Date of Deposit

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Box PCT, Director of the United States Patent and Trademark Office, Washington, D.C. 20231.

Kelly J. Smith

(Typed or printed name of person mailing application)

Kelly J. Smith

(Signature of person mailing application)

THIS APPLICATION IS
THE ENTRY INTO THE
NATIONAL PHASE UNDER 35 U.S.C. 371

Applicant(s): DOW CORNING CORPORATION,
WILLIAM RAYE BALCKWOOD
KENNETH CHRISTOPHER FEY
RANDALL GENE SCHMIDT
LORI ANN STARK-KASLEY

International Application No.: PCT/US2003/019372

International Filing Date: 19 June 2003

Priority Date Claimed: 19 June 2002

Title: FIRE AND STAIN RESISTANT COMPOSITIONS

Attorney's Docket No.: DC5018 PCT 1